

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

VAL-COM ACQUISITIONS  
TRUST, DARRYL OLVERSON,  
AND BARBARA OLVERSON

v.

BAC HOME LOANS SERVICING,  
LP AND THE BANK OF NEW YORK  
MELLON TRUST COMPANY, N.A.

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Case No. 4:10-CV-316  
Judge Schneider/Judge Mazzant

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 27, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #22) should be granted.

The Court, having made a *de novo* review of the objections raised by Plaintiffs, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. #22) is **GRANTED**.

**It is SO ORDERED.**

**SIGNED this 3rd day of December, 2010.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE